

Appl. No. 09/933,125  
Amdt. Dated: November 18, 2004  
Reply to Office Action of: June 18, 2004

**REMARKS:**

Applicant wishes to thank the Examiner for reviewing the present application.

In the office action, the Examiner has rejected claims 59 to 62, 65 to 75, and 78 to 83 under 35 U.S.C. 102 (b) and under 35 U.S.C. 103 (a). Specifically, the Examiner believes that such claims are anticipated by U.S. Patent No. 5,626,988 or, alternatively, would have been obvious in view of this reference. It is the Examiner's opinion that the cited reference describes all the features of the rechargeable cell that are recited in the above-mentioned claims. In response, Applicant has amended claim 59 through the removal of reference to the method by which the anode composition of the rechargeable cell is produced. The cell is now defined in terms of performance. Support for the performance of the claimed cell can be found in the examples provided in the present description, in which the present invention is compared to the cell described in the cited reference. It is respectfully submitted that the present invention, as recited in the amended claims, stands as both novel and non-obvious over U.S. Patent No. 5,626,988.

Applicant submits that the Examiner's objections to Claims 63, 64, 76, and 77 have been obviated by the amendments made to claim 59.


Applicant advises that previous claims 72 to 83 have been cancelled by this amendment. New claims 84 to 96 provide an alternate aspect of the present invention. Support for such new claims can be found in the examples of the present application.

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In view of the foregoing, early reconsideration and allowance of the present application is respectfully requested. The Examiner is invited to contact the undersigned should any further information be required.

Respectfully submitted,



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